

Chairman Lowell Johnson called the regularly scheduled meeting to order at 10:03 a.m. with Commissioners Lowell Johnson, Rod Johnson, Landis and Vap present and Commissioner Boyle excused at the beginning of the meeting.

GENERAL ADMINISTRATION

Notice was duly published January 10, 2006 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 18, 2006 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Shana Knutson announced that Mackenzie Sorich is now a senior certified law student and can conduct hearings under attorney supervision. The Commission congratulated Mackenzie on her team's qualification for the National Moot Court Competition to be held in New York City, New York. Her team will compete with other teams from around the country.

Attention was called to the following proceeding:

Wednesday, January 18, 2006:

2:00 Commission Hearing Room, Lincoln. Workshop.
Kinder Morgan gas pipeline presentation.

COMMUNICATIONS DEPARTMENT

AD-333 In the Matter of Vista Financial, Inc., Livermore, California, seeking authority to connect an automatic dialing-announcing device: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE and Commissioner Anne Boyle present not voting.

Commissioner Boyle entered the Commission Hearing Room.

C-2831/
NUSF-51/
PI-67 In the Matter of the Commission, on its own motion, seeking to investigate telecommunications infrastructure development in Nebraska: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter a revised order seeking broadband information. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3535/
PI-111 In the Matter of the Commission, on its own motion, seeking to establish procedures for the treatment of commercial agreements not subject to the filing requirements of §252 of the Telecommunications Act of 1996: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order opening the docket and seeking comment. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3511 In the Matter of Qwest Corporation, Denver, Colorado, seeking an interim period agreement with XO Communications Services, Inc., Salt Lake City, Utah, previously granted in Docket C-3295: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order to approve the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3469 In the Matter of Budget Phone, Inc., Shreveport, Louisiana, seeking Designation as an Eligible Telecommunications Carrier (ETC) in the state of Nebraska: Gene Hand informed the Commission that a planning conference order was entered on January 13, 2006, scheduling a hearing for January 31, 2006, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

Gene Hand informed the Commission that a three-judge panel of the U.S. Court of Appeals for the Eighth Circuit heard oral arguments in "Minnesota Public Service Commission et al. v FCC" (case 05-1069). The case involves challenges to the FCC's preemption of state public utility regulation of Internet Protocol (IP) enabled services.

Gene Hand informed the Commission that GlobalCom, Inc., Integra Telecom, Inc. and Mpower Communications Corporation joined McLeod USA Telecommunications Services, Inc. in appealing the FCC's order that partially granted Qwest Corporation's petition for forbearance in the Omaha Metropolitan statistical area.

UNIVERSAL SERVICE FUND

NUSF-37.70 In the Matter of Jeffrey L. Pursley, Director, Universal Service Fund Department, Complainant, vs. Trinsic, f/k/a Z-Tel Communications. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint and canceling the hearing scheduled for January 18, 2006. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

UNIVERSAL SERVICE FUND (Cont.)

NUSF-50 In the Matter of the Commission, on its own motion, seeking
PO #1 to make adjustments to the universal service fund mechanism
 established in NUSF-26. Commissioner Landis presiding as
Hearing Officer: Motion made by Commissioner Frank Landis, seconded
by Commissioner Anne Boyle, to enter an order seeking comments on the
changes to support distribution, due on or before February 24, 2006.
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod John-
son, Frank Landis and Jerry Vap voting AYE.

NUSF-51/ In the Matter of the Commission, on its own motion, seeking
C-2831 to investigate telecommunications infrastructure develop-
PI-67 ment in Nebraska. Commissioner Vap presiding as Hearing
 Officer: An order was entered under the Communications
Department minutes.

NUSF-52 In the Matter of the Commission, on its own motion, seeking
 to require Acceris Communications Corporation, San Diego,
California, to Show Cause as to why its Certificate of Public Conven-
ience and Necessity should not be revoked and should not be assessed
administrative penalties: Motion made by Commissioner Jerry Vap,
seconded by Commissioner Frank Landis, to enter a Show Cause order.
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod
Johnson, Frank Landis and Jerry Vap voting AYE. Commissioner Rod
Johnson was appointed as Hearing Officer.

NUSF-1, In the Matter of the Commission, on its own motion, seeking
PO #5 to establish guidelines for administration of the Nebraska
 Universal Service Fund: Motion made by Commissioner Frank
Landis, seconded by Commissioner Jerry Vap, to grant Great Plains
Communications' request to extend the deadline of December 31, 2005,
for the filing of their audit of the 2004 NUSF-EARN Form. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

 Jeff Pursley discussed the credit that is due 1-800-
RECONEX, Hubbard, Oregon for the overpayment of their October and
November, 2005 remittance surcharge due to the surcharge rate change:
Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank
Landis, to grant the credit due 1-800-RECONEX in the amount of
\$867.46. The staff was directed to follow-up with the company to
ensure that subscribers will be refunded. Motion passed with Commis-
sioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and
Jerry Vap voting AYE.

UNIVERSAL SERVICE FUND (Cont.)

NUSF-44/ In the Matter of Jeffery L. Pursley, Director, Universal
DC-69 Service Fund Department, Complainant, vs. AT&T Communi-
cations of the Midwest, Inc., Defendant. Commissioner
Landis presiding as Hearing Officer: Jeff Pursley discussed the
Hearing Officer's Order entered January 12, 2006, continuing the
hearing previously scheduled for January 19, 2006 to a date later to
be determined.

Jeff Pursley discussed Late-Filed Carrier Remittances.
Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank
Landis, to open a complaint against Telenational Communications, Inc.
and amend the January 11, 2005 minutes to read that a new complaint
against Trinsic Communications, f/k/a Z-Tel Communications, be opened
for the late-filed November, 2005 worksheet. Motion passed with
Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis
and Jerry Vap voting AYE.

E911 DEPARTMENT

WSP-007.1 In the Matter of Qwest Wireless, L.L.C., Denver, Colorado,
seeking approval of a request for funding from the Enhanced
Wireless 911 Fund: Motion made by Commissioner Jerry Vap, seconded by
Commissioner Frank Landis, to enter an order requiring submission of
information regarding an outstanding invoice for Phase I costs. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

PSAP-023.1 In the Matter of Dawes County PSAP, Chadron, seeking
approval for recurring and non-recurring costs of Wireless
E-911 implementation: Motion made by Commissioner Jerry Vap, seconded
by Commissioner Rod Johnson, to enter an order granting the applica-
tion. Motion passed with Commissioners Anne Boyle, Lowell Johnson,
Rod Johnson, Frank Landis and Jerry Vap voting AYE.

PSAP-024.2 In the Matter of Harlan/Phelps County PSAP, seeking
approval of recurring and non-recurring costs of Wireless
E-911 implementation: Motion made by Commissioner Jerry Vap, seconded
by Commissioner Rod Johnson, to enter an order granting the applica-
tion. Motion passed with Commissioners Anne Boyle, Lowell Johnson,
Rod Johnson, Frank Landis and Jerry Vap voting AYE.

PSAP-030.2 In the Matter of Box Butte County PSAP, Alliance, seeking
approval for recurring and non-recurring costs of Wireless
E-911 implementation: Motion made by Commissioner Jerry Vap, seconded
by Commissioner Rod Johnson, to enter an order granting the applica-
tion. Motion passed with Commissioners Anne Boyle, Lowell Johnson,
Rod Johnson, Frank Landis and Jerry Vap voting AYE.

E911 DEPARTMENT (Cont.)

PSAP-GISD In the Matter of Cedar County PSAP, Hartington, seeking
-007 approval of funding for GIS data: Motion made by Commis-
sioner Jerry Vap, seconded by Commissioner Rod Johnson, to
enter an order granting \$21,300 for base map development and MSAG
comparison and \$5,400 for annual GIS maintenance. Motion passed with
Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis
and Jerry Vap voting AYE.

PSAP-GISD In the Matter of Howard County PSAP, St. Paul, seeking
-014 approval of funding for GIS data: Motion made by Commis-
sioner Jerry Vap, seconded by Commissioner Rod Johnson, to
enter an order granting \$19,500 for base map development and MSAG
comparison and \$8,100 for annual GIS maintenance. Motion passed with
Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis
and Jerry Vap voting AYE.

PSAP-GISD In the Matter of Cheyenne County PSAP, Sidney, seeking
-018 approval of funding for GIS data: Motion made by Commis-
sioner Jerry Vap, seconded by Commissioner Rod Johnson, to
enter an order granting \$28,500 for base map development and MSAG
comparison and \$5,400 for annual GIS maintenance. Motion passed with
Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis
and Jerry Vap voting AYE.

PSAP-GISD In the Matter of Dawes-Sioux Counties PSAP, Chadron, seek-
-023 ing approval of funding for GIS data: Motion made by
Commissioner Jerry Vap, seconded by Commissioner Rod
Johnson, to enter an order granting \$41,100 for base map development
and MSAG comparison and \$5,000 for annual GIS maintenance. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

PSAP-GISD In the Matter of Cass County PSAP, Plattsmouth, seeking
-037 approval of funding for GIS data: Motion made by Commis-
sioner Jerry Vap, seconded by Commissioner Rod Johnson, to
enter an order granting \$12,000 for base map development and MSAG
comparison and \$9,000 for annual GIS maintenance. Motion passed with
Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis
and Jerry Vap voting AYE.

LEGISLATIVE REPORT

Motion made by Commissioner Jerry Vap, seconded by Commis-
sioner Frank Landis, to support LB 801 and LB 817 and take no position
on LB 920 and LB 1007. Motion passed with Commissioners Anne Boyle,
Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Angela Melton reported on newly introduced legislature.

TRANSPORTATION DEPARTMENT

MR-1009/ In the Matter of the Commission, on its own motion, initia-
PI-70 ting an investigation on range uniformity in the Official
Intracity Household Goods Tariff 22, and to develop proce-
dures for efficiently processing household goods mover tariff amend-
ments: Mark Breiner informed the Commission that Attachment A to
Nebraska Tariffs 7-F and 22 was sent to all household goods movers.
The reply date is February 21, 2006.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska
Motor Carriers Association, Lincoln, seeking authority to
establish a fuel surcharge in Nebraska Official Household Goods Tariff
7-F: The fuel surcharge was retained at 54 cents per mile.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commis-
sioner Frank Landis, to approve the following Commission invoices.
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod
Johnson, Frank Landis and Jerry Vap voting AYE.

DAS Materiel-Office Supplies	\$	749.64
Thomson West		573.92

Motion made by Commissioner Frank Landis, seconded by
Commissioner Rod Johnson, to set Commission filing fees for 2006.
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod
Johnson, Frank Landis and Jerry Vap voting AYE.

Upon agreement of all Commissioners, authorization was
granted for Commissioner Anne Boyle to attend the KMB Video Conference
to be held in St. Petersburg, Florida, from March 8-10, 2006 with all
expenses to be paid by KMB Video.

Motion made by Commissioner Frank Landis, seconded by
Commissioner Jerry Vap, to renew the ESRI Maintenance Contract on the
Geographical Information System (GIS) software. Motion passed with
Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis
and Jerry Vap voting AYE.

There being no need to address any matters in closed
session, the meeting adjourned at 10:39 a.m. with Commissioners Boyle,
Lowell Johnson, Rod Johnson, Landis and Vap present. The next
regularly scheduled meeting will be held on January 24, 2006, at 10:00
a.m. with an agenda to be available in the office of the Executive
Director at 10:00 a.m. on January 23, 2006.

Chairman

Executive Director